

Notice of Allowability

Application No.

09/431,616

Examiner

James A. Reagan

Applicant(s)

FRANCISCO ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the terminal disclaimer filed on 04 April 2005.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ The drawings filed on 02 November 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted..
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Status of Claims

1. This action is in response to the Terminal Disclaimer filed on 04 April 2005.
2. Claims 1-6 have been examined.

Allowable Subject Matter

3. Claims 1-6 are allowed. See Reasons for Allowance under separate heading.

Reasons For Allowance

4. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system component of: *enabling one of the credit card company and the at least one computer to pay fees due to a plurality of third parties from the credit card purchase based upon the multiple party payment information received by the credit card company from the merchant or retailer*. More specifically, the prior art of record fails to disclose a single credit card transaction in which all parties involved, such as a taxing authority, shipping and handling party, licensing organization, etc., each are remitted their portion of the total transaction, automatically, without dividing the sale into a plurality of smaller transactions, each handled individually.

Claims 1 and 5 are distinguished over the closest prior art of Weiss (US 5,866,889 A), which teaches "An integrated financial system that includes a single customer account that permits a customer to perform various financial transactions. The account includes at least banking components and brokerage components. The account is flexible enough to include a

variety of other components such as a credit card component, a line of credit component, a secured credit component and a money market component" (abstract). As recited in independent claims 1 and 5, it is clear that the Applicant's invention is distinguished over the Weiss invention in at least the system component and method step of *enabling one of the credit card company and the at least one computer to pay fees due to a plurality of third parties from the credit card purchase based upon the multiple party payment information received by the credit card company from the merchant or retailer*. Although Weiss does disclose a single account capable of providing a variety of financial transactions, Weiss does not disclose paying a plurality of third parties from a single transaction.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - Amory et al. "Authentication of the Origin and Content of Paperless Transactions and Questions of Liability in Continental Law." Amory briefly discloses many parties involved in a transfer transaction.
 - SERIZAWA (JP 61,117,659 A) discloses a credit card payment system.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

703.305.7687 [Official communications, After Final communications labeled "Box AF"]

703.308.1396 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAR

10 May 2005

A handwritten signature in black ink, appearing to read "Jonathan A. Reagan", with a long horizontal line extending to the right.